C. F. 137-95
T. R. S IX 5]

Previous references

205-15

1895-6
~~191~~
(Grand.)

Later references.

File No. 178

Serial Nos. 1-

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-10.

On ~~Part B~~ for August 1895.

SUBJECT.

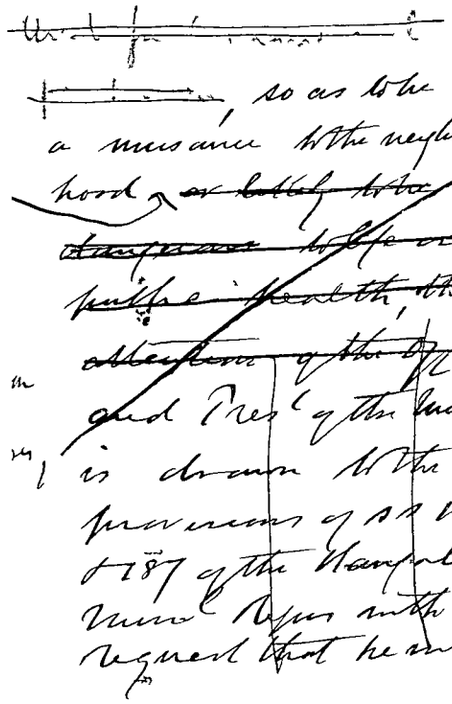
Making & burning of bricks within Municipal limits.

WS

W D 88—GPB—50,000—24-7-15

Moved

It has come to the notice of Govt that the excavation of pits and the burning of bricks for Commercial purpose within the Municipal limits is going on unchecked on a large scale, in and about the ~~City of Bangalore~~, The Dy Comr is requested to take immediate steps both in the Revenue and Municipal Departments to ~~put an end to~~ prevent the ~~nuisance~~ and to report having done so within a week of the date of this order.



so as to be a nuisance to the neighbourhood ~~or likely to be dangerous to life or public health, the~~ ~~objections of the Officers~~ and Res of the enquiry is drawn to the provisions of S.S 185, 186 & 187 of the Hampalan Municipal Act with a request that he will

take the prescribed legal proceedings & vigorous executive action.
L. G.

the result

for the information of Govt.

2. Burials take place within the Municipal limits upon ground not set apart for the purpose. One such burial was noticed by the Dewan last Sunday close to the water works main track. ~~The Dy. Com~~ The Dy. Com. that this shd. be prohibited does not appear to rest upon the views of the Municipal officers. The Dy. Comm. shd. make a full enquiry

Note

I have made a slight addition to the draft drawing the Govt's attention to the provisions of the Municipal Regulations on the subject. This order may be communicated to the Presidents of the Municipalities and Inspectors concerned.

F.J.P.
26/1/96

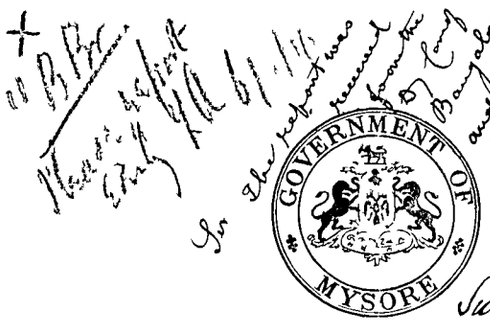
I have perused the draft as drawn in consultation with Mr. Thurston (Chetlaur - Mrs. Mr. Chetlaur will remain at the new Dispensary) 29.1.96

In Exc Proceedings No. 8790 dd. 29/1/96

Y 7 233-92

the Dy Com^r was requested to take immediate steps to abate and prevent the objectionable practice of brickmaking & burning within City limits. It was further stated that existing excavations in & about the western suburbs were a source of danger to the health of the locality & that the Dy Com^r to abate the nuisance the Dy Com^r should take necessary executive action & the prescribed legal Proceedings. The Dy Com^r submitted a number of processes & reports under Sec 185 of the municipal Regul^ns & reports further that the Auditor has been directed to take action under the Land Revenue Code. Under the last clause of Sec 48 of the Land Rev. Code the Dy Com^r the Dy Com^r has Now Dy Com^r Town States (1) that brickmaking has been stopped (2) that there are four Seven existing kilns where bricks in Survey nos 12, 30, 13, 15, 27 of the Guthalli village (3) that the objectionable reason for the permission was granted is nil to prepare admitted (4) that defends the brickmakers not only in the prosecution but also in before himself as Dy Com^r of the matter in dealing with the prosecutions by the Magistracy has been marked by delay and irregularities & (5) that the Contractors have lost the best season by stoppage of brick-making during the Lake last months (6) that is quite out of the question (7) that a sudden withdrawal of formally all Sanction will however questionable

Shd tify the action of the responsible head
(8) that the ~~men~~ men licensed by
Dy Comrs may be allowed to prosecute them
- making till September 1896 (9) that they
- missing shd not be allowed to interfere with
prejudice the acquisition for further extensions
~~to~~ of the city now under progress and (10) that
the result of the above Concession would be the
withdrawal of the prosecutions.



Subject to 1st Commissioner's C

6/7/96

My Dear Mr Greenhorn

Sometime ago there was an order by our Hospital in regard to attendance the Peons & other persons in the Cof. of Hospital for manufacturing bricks. Has there been any report of the Officer in the matter as to what action was taken? If so please let me see the same.

Yours
C. A. Thomas

Pro ch 8790 Dy 29/11/96
233.92

Memo

It having come to the notice of Govt that the excavation of ~~pot~~ pits and the burning for commercial purposes of bricks the municipal limits of the City of Bangalore were going on unchecke so as to be a nuisance to the neighbourhood, the Dy Coms was requested to take immediate steps in both the Revenue and Municipal Departments to abate the nuisance

(2) The Dy Coms reported that none of the brickmakers, having obtained licenses under Sec 185 of the Municipal Regulations, prosecutions were instituted against them in the City Magistrates Court under Sec 187; ~~and~~ that the Amildar was also directed in the Revenue Department to proceed against the said persons under the Land Revenue Code and that separate peons were deputed to watch the places and to prevent further nuisance Sept 6. he was asked to submit a report as to the result of enquiry by 15

Circuit Court.

Q

17-7-96. Ward

The Vice President
seems to have instituted
the prosecution on the
supposition that no license
was granted to the accused
under s 187 Municipal Corporations
but the proof report of
the Ward shows that
the permission was granted
by the manufacturing body
and not the Board
which permission was granted
upon grounds ranging from 2½ to 5 per cent
in some cases without fixing any
ground. The prosecution ought not
to have been instituted without ascertaining
the real facts. The best plan seems to me to
suspend each rule and allow a rehearing
to enable each party to bring the matter
thoroughly before the Court. If the parties
had been given under s 185 and the brewery
company had been ordered to be stopped after
the explanation of a reasonable time there would not have
been the objection raised. The Ward Vice and
Municipal Councillors of Granby have given such long speeches as

Circuit Court
18/7/96

Precis of Correspondence re, the grant of licenses to make bricks in Survey no. 12, 13, 15, 27, & 30 of Guthalli Vi. Cpc Sam

In December 1892, one

Narasimmanna owner of Land

S. no 12 of Guttahalli, presented a

petition to the Deputy Comr

Bangalore stating that as the

Land was unarem he had leased

this land o no 12 to Venkatasamiah

and Kempanna to level the

land so as to make the land fit

for garden cultivation and make

bricks out of the earth found in

excess with the permission of the

Taluk authorities & that the Amildar

had issued an order prohibiting

the making of bricks without the

permission of the District Officer

This petition was referred to

the Amildar for report

The Amildar, after inspecting the land, reported that the land could have been cultivated as it was but as many pits had been dug up for making bricks the land was unfit for cultivation unless the surrounding earth was excavated and brought done level.

The Rayapuratha Row ordered that as Petitioner would breeks in his own land it cannot be considered that he is transgressing the Rules as long he does not render the land unfit for cultivation

Venkatasame also represented to the Dy Coll in his petition D 19th Decr 92, that he was making bricks in Narasimmalu's land S no 12 with the permission of the Patak authorities, that as they have now prevented him from making breeks

No 1096 D 24.3.93

he has incurred great loss and
that the order of the Amildar
might be ~~corrected~~ set aside.
The Amildar to whom this petn
also was referred submitted a
report similar to the above
Mr Raghunatha Row ~~ordered~~
passed ~~order~~ the same order
as on the petn of Narasimmam

1099 & 24.3.93

On 27th Dec 1893 one
Govindarayu Mudaliar & Bangalr
Post complained to the Amildar
that Venkatasami had prepared
a Kiln close to his apple garden
that if he were permitted to burn
bricks near his garden his apple
plants would be destroyed and
that Venkatasami should be
prevented from burning bricks
near his garden —
When Narasimmam ~~&~~ Agent
represented to the Dy Coll^r
and promised to execute a

Muchalika himself
to convert the land into a garden
Mr. Chaudy ordered that Pli no 21 & 17/7/95.
might be allowed to make bricks on
his land after obtaining from
a Muchalika from him
& Muchalika was accordingly 20-9-95.
obtained from Narasimmamma
allowing him 2½ years time to
excavate and level the land.
and convert it into a garden

(2) On 17th Dec 92, Venkatadasappa
owner of Land. no. 30 of Guttahalli
represented to the Dy Comr
that he had permitted one
Chowdappa to level his land
which was very uneven so
as to render it fit for garden
cultivation and make use of
the surplus earth to make bricks,
that the Taluk Authorities have

now prevented Rama Chowdappa
from manufacturing bricks and
he might be allowed to make bricks
in his land as he does not render
the land thereby unfit for cultivation
Mr Amildar in his report
stated that the land might be
cultivated as it was that with
the idea of obtaining greater
profit the owner had leased out
the land to Chowdia for making
bricks, that many pits had
already been dug up and that
in order to make the land have
a large quantity of earth
had to be excavated —

Not known for 1097

1097 & 24.3.93 The Raghunatha Row as before
ordered that Plr does not act
Contrary rules if he makes
bricks in his own land provided
he does not make the land
unfit for cultivation.

2.11.94. A muchalka was accordingly
taken from Plr who was allowed
to make bricks in his land

13 & Thimmaraya owner of land
D. No 13 also complained & the
Dy Com^r against the prohibitary
order of the Amildar to make
bricks on his land The Amildar
as before reported that so many
deep pits were dug in the land
and that in order to make the
land fit for cultivation some
earth should be removed
from the surrounding land
and that Thi might be allowed
to make bricks in his land for
some time
As before the Rajamahendra Com^r
ordered that Thi might be allowed 1100 & 12 3 93
to mould bricks in his land
provided he does not render
the land unfit for Cultivation
Thi was informed of the above
order and the usual Muchalika 18 11 93
also was obtained from him.

(41). Govindappa owner of S. no. 15 put in a petn to the Dy Coll^r praying that he might be permitted to make bricks on his land - the Dy Coll^r Rao Shripatrao Khan after the receipt of the Amildar's report ordered as follows: - "Permission to make bricks may be given on the petitioner giving a muchalka binding himself to level the whole land within a time to be prescribed by the Amildar

22-2-93. But permission to burn them on the spot should not be given before I see the place"

A muchalka was accordingly obtained from him allowing him 3 years time to level the land.

25.6.94.

(5). ~~August~~ Anjanappa owner of S. no 27 situated in the Ba

of the Hosahere Taluk stated
in his petn to the Dy Comr
that his land was not level,
that he had spent more than Rs 250/-
to make 1/4 of his land fit
for garden cultivation & that
in order to make the rest
of the land even he might
be allowed to make bricks
in his land, that he intended
to convert the whole of the
land into a garden and that
he might be allowed 20 years'
time
The Amildar reported that
as Plr acquires greater profit
by making bricks the assessment
of the land might be raised as
per Sec 48 of the Land Rev Code and that as Plr has cultivated a
portion of land with garden crops only
assessment may be levied under Sec 48
Hon the Dy Comr, Mr Shuyastali Khan
ordered "I shall have no
objection to the Plr digging his
land and making bricks

under the circumstances mentioned by the Amlda. But before hand a muchalka should be obtained from the Petr. binding him to a fixed time within which the whole area of the field should be dug out: the depth also should be specified. The field when dug out as proposed should be of uniform level

If Govt. water is not taken the old dry assessment alone should be continued.

Mr Deshpande Pow ordered that a muchalka maybe obtained from the attorney him only 3 years time & bring his land to a uniform level

Genl.
178-95
1

Rd Lr no 293.

8790
Lf-233-92 8/29/11/96

Order.

It having come to the notice of Govt that the excavation of pits and the burning for commercial purposes of bricks within the municipal limits of the City of Bangalore, are going on unchecked on a large scale so as to be a nuisance to the neighbourhood and to make the lands operated upon unfit for other purposes, the Deputy Comr is requested to take immediate steps both in the Revenue and municipal departs for abating and preventing so objectionable a practice. Brick making for the bona fide building purposes of owners may be permitted under special

Licenses in unobjection
-able localities, but sub
-ject always to the con.
-dition that the excav.
-ations be not on any
account left in an
unsightly and undrained
shape. Such a condition
should be duly enforced
Existing excavations,
especially about the
Western Extension
threaten to be a source
of danger to the health
of the locality and
immediate steps
should be taken to
abate the nuisance.
The Deputy Commissioner
is requested to take
vigorous executive action
and the prescribed legal
proceedings and to
report the result within
a fortnight from this
date for the information
of Govt 29.1.96 M.

To The Dy Comm
Bangalore

(General Serial No. 31.)

1896.

7236
-
1
L 2545
TRAV OF MYSORE

Submitted with perfcs.

Secret Annual.
178-95.
2-

Heal a further
letter to the
prosecutions
instituted & pro-
ceedings taken,
& marked
4-3-96

From The President.
City Municipal Commissioner
Bangalore

To The Secretary.
to the Government of Mysore
Bangalore

Dated
Despatched 2 March 96
Received 3

No.

Enclosures No.

General No. 8
No.

Sir,

In reference to govern-
-ment proceedings No. 8790
L.F. 233-92
dated 29th January 96 direct-
-ing that brick making
within the Municipal limits
of Bangalore city should
be prohibited, and that
the result of steps taken
should be reported, I have
the honor to state that
as none of the brick
makers had obtained
licenses for the purpose
under section 18, of

Municipal Regulations prosecutions have been instituted against them in the City Magistrate's court under section 187 of the Regulations and the cases have not yet been disposed of. The Amuldar has also been directed in the Revenue department to proceed against the said persons under the Land Revenue code.

2. Separate peons have been told off to watch the place in which earth is likely to be excavated for bricks, and to prevent further mischief.

I have the honour to be
Sir
Your most obedient Servant
[illegible]
for President

Section Annual
178-95.
3.

21

Read (1)

Letter from the President of the Bangalore City Municipality dt 22 March 96 No 91 Statistical, with reference to former Rec dt 29th January 96 No 870 / L.R. 233-92 / that as none of the brickmakers obtained license for the purpose under Sec 185 of the Municipal Regulations prosecutions have been instituted against them under Sec 187 of the Act in the City Magistrates' Court, Bangalore.

Order thereon.

A further report as to the result of the prosecutions instituted and, when taken, is awaited

Secretary

To President Bangalore City Municipality

R/25-2-96
10352
10/3/96
L.R. 233 92

Gen. 31

1895 OFFICE OF THE 9417 L 317

From The Dy Commissioner Bangalore District

To The Secretary to the Govt. of Mysore. Revenue Department.

Dated 22nd
Dispatched 25th } May 1896.

Received

General No.
D No 1129.

Enclosure No. One

Section General.
178-95.
4.

In reply to Govt. order
No 10352 d/18th March/96.
L.F. 233-92

Subjects.

Submits further report regarding the making and burning of bricks within Municipal limits of the City of Bangalore.

17
25 5 96

Submitted D.I. 26/5/96

No. 1129.
En: one.

By Commissioners Office
Bangalore District.
Dated 22nd/25th May 96.

To

The Secretary to the Government
of Mysore.
Rev and Genl Departments.

Sir,

Adverting to correspondence ending with Government Order No. 10352 L.F. 233-92 dated 10th March 1896 regarding the making and burning of bricks within Municipal limits of the City of Bangalore, I have the honor to make the following further report

2. In the attached list will be found the names of the persons who have been making or burning bricks within Municipal limits at the time of the Government order No. 8790 233-92 dated 29th January last. They have all been stopped

excepting 1 man named Anjanayappa, who has been permitted to complete the work and remove the bricks that had actually been made when the prohibitory order was passed. A revenue Sapedar has been told off to watch the kilns and brick fields and prevent any surreptitious resumption of the work.

3. In the case of the marginally noted individuals, they have been

Name of individual	Survey No: on which they were permitted to make bricks.	No and date of Asst Commissioners Sanction,	Time specified in the Sanction.
1. Venkatasubbanna (on behalf of Narayanappa)	12.	No 21 of 17-4-92 of the Asst Commissioner who is in charge of the Taluk.	2½ years from 20th September/93
2. Veerpanna —	12.	Do — Do — of No 1096 of 24-3-93 of the Asst Commissioner	No time specified c/f 18-11-94.
3. Venkatasubbanna	12.	No 1099 of 24-3-93	— Do — c/f 12-4-94
4. Venkatasubbaiah (on behalf of Chowdappa)	30.	No 1097 of Do —	— Do — c/f 18-11-94.
5. Thimmarayya —	13.	No 1100 of Do —	— Do — c/f 18-11-94.
6. Govindappa —	15	No 1277	3 years from 25-6-94.
7. Anjanappa —	27	No 1077	5 years from 22-3-93.

permitted by my predecessors to dig earth and make and burn bricks on the spot. The ostensible reason for which permission was granted was to prepare the ground for better cultivation, but it is too translucent to be admitted. The innumerable esctensions in and around the City and the Spurt thereby given lately to house building have created an unlimited de-mand for bricks, of which the prices have gone up by bounds, and thus the dormant energies of Mestris and the cupidity of land-owners have alike been aroused. Permission was obtained in these cases from the Revenue Department, running in a few instances from 2½ years to 5 years. In the others, the time was not limited and the brick men have the hardihood to assert that th-

lease will indefinitely remain in force till their lands are esc-
-cavated sufficiently low and level.

4. These men have retained Mr. Advocate Venkatramaya, who not only defends them in the prosecutions instituted against them by the Municipal authorities but has pleaded before the late Deputy Commissioner and myself in their behalf, representing the heavy losses they would be put to if the permit were suddenly withdrawn, inasmuch as they had gone on the assurance of the Deputy Commissioners' authority to much expense in engaging workmen, obtaining fuel, &c. and in con-
-tracting for large supplies of bricks to various parties.

5. In the Municipal Department

it has never been the practice to issue licenses for brick-kilns, as required by Section 185 Municipal Regulations. When kilns are set up the Municipality levies a tax of 2 annas per 1000 bricks, in accordance with a Notification issued by the late Chief Commissioner. Nothing seems to be done for raw bricks, for which neither the Regulations nor the Bye-laws make any provision. The Civil and Military Station Bye-laws however take account also of the making of raw bricks.

6. Prosecutions were instituted by the Municipality against 4 individuals in the City Magistrate's Court. In 1 case, the Magistrate dismissed the charge on account of a blunder in putting up the

wrong person. When Mr. Vaidynatha Iyer went on leave, Mr. Raghava Charlu was in charge of his Court, when he took up another of these Municipal prosecutions and passed certain animadversions on the unwisdom of the Municipal procedure. He has not however finally disposed of the case. Nor did he submit a copy of his "order" to the District Magistrate as required by law. I have called upon him for an explanation.

7. Mr. Raghava Charlu also transferred Suo Motu the remaining Municipal cases from the City Magistrates' to the Closepet Sub Division file. As this procedure was apparently wrong, I have asked him to explain it, and re. transferred the cases to the city magistrates file.

8. Having briefly stated the facts of the matter as they now

stand, I venture to suggest to the Government the advisability of considering whether there is not some foundation for the complaint that much avoidable loss will be inflicted on the Kiln-owners who had been licensed by the Dy Commissioner by a too sudden and abrupt cancellation of the permission. Many of these operations are on a large scale, and it is a fact that they have been the result of large contracts - It is said that the contractors have lost the best season by the stoppage during the late hot months, and that when the Monsoon sets in, brick-making will be out of the Question.

9. Without being guilty of sentiment, I am inclined to imagine

that the too sudden withdrawal of formally accorded sanction will in a measure stultify the action, however questionable, of the responsible head of the District and that all cause for complaint on the score of losses will be removed by allowing a little more time for the final and complete cessation of these operations.

10. If these views commend themselves to the favorable consideration of the Government, I would recommend that time may be allowed to the men named in para 3 above, who have obtained permits from the by Commissioner till the close of September 1896. This should however not be allowed to interfere with or prejudice the

acquisition of lands for the further extensions of the City now under progress.

11. The concessions above put forward will also result in the withdrawal of the prosecutions pending before the Magistracy.

12. Brick-making and burning are also carried out beyond the Municipal limits, and I will deal with the matter separately on the revenue side under the Land Revenue Code and Rules.

I have the honor to be,
Sir,
Your most obedient servant,

D. V. Narasimmiengar
Dy Commissioner

a not
I do in the
order on wh
report

Current Year there
been 22 Kilns. These were
ensued.
In 12 cases prosecutions
been instituted.

Citation	Date of hearing	Name of the accused	Their residence	Section	
Feby/96	19 "March/96	Chowdappah ———	Guttahalli	187	
do	do	Imam saib ———	Gumta	187	
do	do	Muddu Krishna Modr	Kalasipalyam	187	
do	20 do	Rudrappah ———	Guttahalli	187	
do	do	Mohamed Abbas —	Rajapalalam	187	
do	do	Pennaiah ———	Guttahalli	187	
do	27 do	Mr. S. Subbaroya —	Chikpeta	187	
do	do	Mr Annasamy Modr	S. M. Ry	187	
do	30 do	Dodda Ramanmah	Kengeri Police Station	187	
do	do	Anjanappah —	Upparpeta	187	
do	do	Kempanmah —	Akkipeta	187	
do	do	Kinduspur Subbanna	Subedar Chattar Road -	187	
do	31 do	Kalappah ———	Darmanuddi Tank bund ———	187	
do	do	Vagarappah —	Tigler pett	187	
do	do	Kaikamma ———	Darmanuddi Tank	187	
do	do	Bidan sab ———	Upparpett	187	
do	30 do	Gudda Muniappa —	Upparpett	187	
do	15 "April/96	Govindappah ———	Manavarthipett	187	
"	"	Appajappa ———	Chowdeswari temple	187	
"	14 do	Venkatasamy ———	Guttahalli	187	
"	do	Munegowda ———	do	187	
	do	Totti Timmaya ———			
"	do	Venkatsubbaia & Chikkamma ———	do	187	

[Signed] K Srinivasa Rao
Valg President
13/4/96

"Copy"
M Kumar
for Deputy Commissioner

Memo

Last year 12 kilns were fired on payment of the prescribed fee

In 22 cases the license was not issued as the fees were not paid. The amount due from each of them is shown opposite to their names as detailed below:-

Number	Name of Maker	Locality	No of Kilns	Amount due arrears of last		
				R		
1	Govindappah	Guttahalli	1	1	14	-
2	Venkatasamy & Appajappa	do	1	17		
3	Garrappah	Near Sawar Line	1	23	2	8
4	Banappah	Karanji Tank	1	15	13	1
5	Govindappah	Guttahalli	1	5	4	"
6	Timmaiah	Karanji Tank	1	1	4	-
7	Muniappah	do	2	27	6	9
8	Virabhadrappa	Guttahalli	1	19	4	9
9	B Appaji Row	do	1	19	-	9
10	Mudda Krishna Modeliar	Talbag Upparhalli Tank	1	9	6	8
11	Munia Maistry	do	1	11	9	10
12	Appajappah	Guttahalli	1	10	4	-
13	Narayansamy	New Madiga Palya	1	11	1	3
14	Mr. Fullerton	Agrahara Tank	1	12	13	6
15	Appaji Row	Guttahalli	1	6	7	6
16	Kumparmah	do	1	7	1	6
17	Mr. Ashworth	Agrahara Tank	1	60	7	3
18	Govindappa	Guttahalli	1	15	7	10
19	Banappah	Baswanna's temple	1	3	10	-
20	Nagappah	Karanji Tank	1	16	5	8
21	Ahyanappah	Agrahar Tank	1	13	2	
22	Govindappah	Guttahalli	1	14	5	8
		Total	23	289	-	3

Genl.
178–95.
5.

Read.–

Letter dated 22 May 1896 clo 1129 from the Dy Comr of Bangalore submitting the estimation called for in Proc of 10 March 1896 clo No 10352 / L. 7233/92 in regard to the making and burning of bricks within the mil limits of the City of Bangalore

Order passed

Before passing final orders on the reference above letter

The Deputy Comr is requested to forward the licenses granted by his predecessor & referred to in para 3 of his letter read above. It is observed that in the map of the further Extension of the Western Mes. Extension forwarded with his number 89 of February 1896 Survey nos 12, 13, & 15 are adjacent to the Doddi Basavanna road of that an important roads a road is shown as running through Survey No 27. and the Dy Comr's all the survey numbers are included in the limits of the propos within the limits of the propos ed new extension. The Dy Comr will be good enough to explain how further difficulty can be permitted in regard to the Survey nos referred to in para 3 of his letter are the same as those shown in the map (and if so how further obj. encroachm can be permitted in this respect. Without prejudice to the serious utility of the further enclosures now

Presidt of the Bangalore City Municipality.

RL 2944
12923 29/5/96
L.T. 137–95

Alleged to be under progress

D.P.

Subject to 3rd Committee
for approval. D.P

27/5/96

27/5

To The Deputy Commissioner
Bangalore District, with a plan
The President Bangalore City Municipality of the Western
Inclosure

Gen. 31

1895-96.
10299.

Section — Genl.
No. 178-95
Ex. 6.

From The Dy Commissr
Bangalore District.

To The Secretary to the Govt
of Mysore
Rev & Genl Departments

Dated 16th
Despatched 17th } June 1896.
Received

General No. 3411

D No. 1209.

Enclosure No. 1 file with Plan

In reply to Govt Pro: No.
12923 dated 29th May 1896.
L.F. 137-95

Submits papers containing the permissions granted to certain persons for making bricks within the Municipal limits of the Bangalore City and also certain explanation in regard to the same.

L F

18 6 96

Submitted The Dy Commissr's D 722/C/96 was submitted to Govt Sec with a memo

Ref D 722/C/96

D 2416

3011

By Commissioners

Bangalore Dis

Dated 16th June 1896.

D. No. 1209.

Encl 1 file with Plan

To

The Secretary to the Government of Mysore,

Rev and Genl Departments,

Sir,

With reference to Government Proceedings No. 12923 dated 29th May/96, L.F. 137-95 I have the honor to submit, in original, the papers containing the permissions granted by my predecessor to certain persons for making bricks within the Municipal limits of Bangalore City.

2. Survey No. 27, referred to in Para 3 of my letter No. 1129 dated 22nd May 1896 does not lie within the new extension. It belongs to the village of Bhoseinahalli, to the East of the water spread of the Agrahara Tank: whereas the new extension

is proposed to be made within the limits of Suttalli and Ganjipoor villages.

3. The other Survey Nos i.e. 12, 13 and 15 have to be acquired for the new extension; which will be done as soon as Government are pleased to decide on my reference No. 1090 dated 8th May 1896 whether the Dy Commissioner or the President of the Municipal Corporation has to carry out the improvements. But the proposition advanced in my letter No. 1129 dated 22nd Ultimo to give the parties concerned a little more time had for its object the mitigation of the hardship which would certainly be entailed if brick-making should suddenly be stopped. Moreover it should be borne in mind that in para 10 of my letter, I have provided that the further extension of the time should not be permitted to interfere with the extension operations.

4. The monsoon is not likely to

facilitate the rapid progress of brick-making and the pits already in existence are not likely to be made much deeper by the proposed grace

5. The plan received with Government order under reply is returned.

I have the honor to be
Sir,
Your Most Obedient Servant

[illegible]
for Dy Commissioner.

40

No W299
L3411

Read Govt Pro dated 27th January 1896 etc No 8790 & F233 92 and subsequent correspondence ending with letter dated 16th June 1896 etc 1209 from the Dy Comr of Bangalore, submitting papers in regard to the permission granted to certain persons for making bricks within the municipal limits of Bangalore

Order thereon

The papers referred to above are herewith forwarded to the President of the Bangalore City Municipal Commission for favor of his opinion and remarks with special reference

Annexed.
178-95.
7.

R 13102

13868 Dy 26/6/96
X 137-95

In the whole file
No 137-95

to paras 9 and 11 of the
Dy Coms letter dated
22nd May 1896 c/o 1129,
wherein the proposes
to allow a little more
time for completing the
operations of breakwater making
and to withdraw the
prosecutions instituted by
the Municipality

Under Secy

To
The President of the
Bangalore City Mul Com

42

323

Offl. Memo

Screen Munpl.
No. 178 95.
C.T. & No. 8

R L44

323
LF-137-95 7/7/96

The President of the Bang City Municipality is requested to expedite the submission of the report called for in Govt Proceedings of 26/6/96 No 13868 and to return all the LF 137 95 papers forwarded with the same on the subject of ~~burning~~ burning bricks in the City of Bangalore.

"By Order"

For Secretary

Dy 7/7/96

To

The President of the Bangalore City Municipality

draft 7/7/96

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

9 43

189 6 OFFICE O 2 S 9. 10. JUL 1896 STATE OF MYSORE

Section Municl.
178-95.
Subject 9.

From The President,
Municipal Commission.
Bangalore City.

To The Secretary to the
Government of Mysore
Rev & Genl Departments

Dated 9 July 1896
Despatched
Received
Gen. No.
No. 7

Enclosure No. one file.

Submitting report together with file of papers on the subject of burning bricks in the city of Bangalore.

47
10 7 96

Submitted for orders with a precis of correspondence in regard to the grant of licenses to make bricks in the Bangalore City.

D. J. 11/7/96

11/7

No. 7
Enc: 1. File

City Municipal Office.
Bangalore 8th/9 July 1896

From.

The President.
Municipal Comission
Bangalore city.

To.

The Secretary
to the Government of Mysore
Revenue and General dept
Bangalore.

Sir,

Referring to Government Order No. 13865 / L.7.137-95 dated 26th June 1896 I beg to state while I am of opinion that the manufacture and burning of bricks should be strictly prohibited within Municipal limits, the suggestion of the Deputy Comissr. to extend to the manufacturers named a short period to close work at their present sites, and enable them to

to obtain other places outside the Municipal boundaries, is one that commends itself to me, the length of any period to be conceded might be determined by Government.

2. With the granting of this concession and due notice to the manufacturers that brick making and burning will be strictly prohibited after the expiry of the named period, the Municipality would be prepared to withdraw from prosecutions now pending.

3. The file of papers forwarded with Government Order under reply is herewith returned

I have the honor to be

Sir

Your most obedient servant

T. T. Kennedy

PRESIDENT MUNICIPAL COUNCIL,

BAIL HOPE, CITY.

5963

mun.
178-95 81.10. 46

as per

[illegible]

[illegible] in question
This action upon
I w' give reasonable
in each case to
complete
the operation
in progress
such time by
permit of the
Mr Nell and
C. Officer on
a penal
suspension
notify [illegible]
B.M.

Redrafted 4/8/96
3/8/96

[illegible]
[illegible] 3/8/96

I approve
[illegible]
order I am
[illegible]
[illegible] Mell
24/8/96

Read correspondence
ending with letter No 79
of 2nd July 1896 from the Pre-
sident of the Bangalore
City Municipality in re-
gard to making and leasing
of certain ~~[illegible]~~ lands in
and near the Bangalore City
by auction.

Order.

Government observe that
in a large no of cases
permission to grant
and lease lands on
agricultural lands
was granted by the
Revenue authorities
in utter disregard of
the provisions of law
on the subject. The
attention of the Dy
Comm' will be drawn
to sections 48 and 63
of the Land Revenue
and 2- paras 3 & 4 of
Rule XXIII of the Land
Rev. Rules. As a result
of consequence of

appropriation of agricultural
land for purposes
unconnected with
agriculture such as
making beetle &c.
the assessment fixed upon
such land should
have been altered,
and a fine should
have been levied in
addition to such new
assessment - Redemption
to alter the assessment
or to remit the payment
of a fine, rivals to
the Redemption relied
upon in the cases
now under notice, and renders it [illegible]
[illegible] ~~that accordingly, since the~~ withdrawal of the
~~that that~~ Redemption
~~has no effect~~.

4. The Bye laws requirements
the hardship likely to be
caused to the persons
concerned by the sudden
cancellation of the
Permits on the Triumph
But under the special
circumstances, represented
by the [illegible] by the

President of the Municipality
and ~~Council~~ Council
show some consideration
to the persons concerned
and ~~to grant that they~~
~~shall~~ authorize the
Council to ~~shall~~ ~~have~~
till the end of October 1896
to complete all operations
in progress, and to
~~shall~~ ~~shall~~
distribute ~~unless~~ ~~sanding~~
~~that no further~~ ~~exchange~~
~~shall be made~~ from
this date. From the
persons illegally grouped
in these roads shall
be cancelled, ~~from~~
to same effect, from
1st October 1896 or from such
later date as may be fixed by him
3. Each of the lands
required to abound as
are required for the
enlarged Gustadels
in question shall be
acquired by the
Municipality, by the
Owners

⊗ Vide my
note on
page 1 of this
letter and
Date as may be deemed
reasonable in each
case,

to remove
the trees
encroaching
on said road

practicable, the necessary
Declaration being already
furnished by Govt
Govt for a declaration
under the Land Acquisition
Act Regulation.

4. Govt have no objection to the Prosecutions
now pending, being
withdrawn as proposed
by the President in para
2 of the letter read above.

C

2-8-96

Read -

Correspondence ending with letter etc 7 dated 9 July 1896 from the President of the Bangalore City Municipality in regard to the making and burning of bricks in certain lands in and near the Bangalore City esctensions

—·—

Order thereon

Government observe that in a large number of cases, permission to make and burn bricks on agricultural lands was granted by the Revenue authorities in utter disregard to the provisions of law on the subject The attention of the Dy Comr will be d[illegible]

Genl.
178-95.
10

2748-9 dy 26/8/96
27.137-95

1 ce plan and one file of
V. papers.

to Sections 48 and 63 of the Land Revenue Code and to paras 3 & 4 of Rule XXIII of the Land Revenue Rules.

As a necessary consequence of the appropriation of agricultural land for purposes unconnected with agriculture, such as making levels &c, the assessment fixed upon such land should have been altered, and a fine should have been levied in addition to such new assessment. The omission to alter the assessment or to require the payment of a fine invalidates the permission relied upon in the cases now under notice and renders it liable to be immediately withdrawn. But under the special circumstances represented by the Dy Com's and supported

by the President of the Municipality. Government not unwilling to shew concession to the persons concerned and they accordingly authorize the Dy Com^r and the Municipal President to grant these persons time till the end of September 1896, to complete the operations in progress and to remove the bricks made or burnt up to that date. The permits illegally granted to these people shall be cancelled and shall cease to have effect from 1st October 1896 or from such later date as may be fixed as above.

till such later date may be deemed reasonable in each case

(2) Such of the lands referred to above, as are required for the proposed Gattahalli extension, shall be acquired for the Municipality [illegible]

Come as early as practicable the necessary particulars being at once furnished by him to Government for a declaration under the Land Acquisition Regulation.

(3) Government have no objection to the prosecutions now pending, being withdrawn as proposed by the President in para 2 of the letter read above

Secretary

To, The Deputy Comm Bangalore

The President Bangalore City Municipality

District returning the V. Papers & Plan received with his No 1209 dt 16/6/96